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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE  
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10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 STEVEN W. FISHER,

14 Defendant.  
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Case No. 17MJ-452-JPD-RSL

ORDER GRANTING UNITED  
STATES' MOTION TO REVIEW  
ORDER OF RELEASE AND  
ORDER OF DETENTION

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19 This matter comes before the Court on "United States' Motion to Review Order of  
20 Release." Dkt. # 11. On October 31, 2017, defendant Steven Fisher appeared at a detention  
21 hearing before the Honorable James P. Donohue, Chief Magistrate Judge for the Western  
22 District of Washington. Judge Donohue ordered that the defendant be released subject to an  
23 Appearance Bond. The government now asks this Court to reverse and revoke the release order.  
24 Having reviewed the audio recording from the detention hearing, the Appearance Bond, the  
25 memoranda submitted by the parties, and the complaint against the defendant, the Court  
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27 GRANTS the government's motion.  
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ORDER GRANTING UNITED  
STATES' MOTION TO REVIEW  
ORDER OF RELEASE AND  
ORDER OF DETENTION - 1


1       The Court shall detain a defendant pending trial if “no condition or combination of  
2 conditions will reasonably assure the appearance of the person as required and the safety of any  
3 other person and the community[.]” 18 U.S.C. § 3142(e)(1). The government bears the burden  
4 of showing that the defendant poses a danger to the community by clear and convincing  
5 evidence and that the defendant is a flight risk by a preponderance of the evidence. United States  
6 v. Gebro, 948 F.2d 1118, 1121 (9th Cir. 1991). This Court reviews *de novo* Judge Donohue’s  
7 release order. See United States v. Koenig, 912 F.2d 1190, 1192 (9th Cir. 1990).  
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11       In support of its motion, the government offers several pieces of evidence. First, the  
12 government points to information contained in the complaint. The complaint alleges that  
13 defendant impersonated a federal officer on multiple occasions, and on one of these occasions  
14 he stole \$ 130,000 from a business and locked the employee in a room at gunpoint. After  
15 defendant was arrested, the police recovered a handgun, handcuffs, and fake FBI credentials.  
16 The government additionally proffered the following at the detention hearing: 1) that defendant  
17 had connections with the Mexican mafia, and he attempted to use those connections to commit  
18 additional robberies; 2) that one of defendant’s motives in committing the robberies was to  
19 murder his ex-wife and her mother; and 3) that defendant had access to large amounts of money  
20 from unknown sources that he might have laundered through casinos.  
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1 After considering this evidence, the Court finds that the government has met its burden.<sup>1</sup>  
2 Even setting aside some of the additional evidence offered by the government at the hearing  
3 (e.g. the Court does not consider rumors about ties to the Mexican mafia), the crimes that  
4 defendant is accused of are very serious. These crimes involve fraud, deceit, and potential  
5 violence, all of which support a finding that defendant is both a flight risk and a danger to the  
6 community. Additionally, the evidence against defendant is strong. Finally, even though  
7 defendant's criminal history is minimal, there is some indication of prior issues with mental  
8 health and/or substance abuse, which further supports detention pending trial.  
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12 For all of the foregoing reasons, the government's motion (Dkt. # 11) is GRANTED.  
13 There are no conditions of release that will ensure either the safety of the community or the  
14 defendant's appearance for further court proceedings.  
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17 DATED this 7<sup>th</sup> day of November, 2017.  
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21 Robert S. Lasnik  
22 United States District Judge  
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26 <sup>1</sup> The Court considers the following factors in making this determination: "(1) the nature and  
27 circumstances of the offense charged . . . (2) the weight of the evidence against the person; (3) the  
28 history and characteristics of the person . . . and (4) the nature and seriousness of the danger to any  
person or the community that would be posed by the person's release." 18 U.S.C. § 3142(g).